

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

Claim 1 has been amended to clarify the features of the present invention whereby the control unit: (i) when the camera device is started up in a state in which a recording mode for photographing is set, controls the driving unit to move the optical system to a predetermined state by an initialization processing based on a startup program which does not comprise an operating system and then controls the driving unit based on a control program comprising the operating system, and (ii) when the camera device is started up in a state in which a playback mode for display is set, controls the driving unit based on the control program comprising the operating system without moving the optical system to the predetermined state by the initialization processing based on the startup program. See, for example, Fig. 4 and the disclosure in the specification at page 12, line 20 to page 13, line 20.

In addition, independent claim 4 has been amended in a similar manner to claim 1.

Still further, the claims have been amended to make some minor grammatical improvements so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

According to the present invention as recited in amended independent claims 1 and 4, when a recording mode is set when the device is started up by power-on, an initializing operation (see steps SA8 to SA13 in Fig. 4) in which, for example, the lens group 11 is zoomed open, is immediately started without waiting the startup of the OS. During this time, operations required for the other initializations may be carried out during this time. Accordingly, the starting time required for photographing with a camera device having a movable lens 11, for example, can be markedly reduced, and speedup of the starting time is possible. See the disclosure in the specification at, for example, page 18, line 19 to page 19, line 2.

It is respectfully submitted that the prior art of record does not at all disclose, teach or suggest the above described structural features or advantageous effects of the present invention recited in amended independent claims 1 and 4.

With respect to the "Official Notice" taken by the Examiner, it is not clear whether the Examiner is relying on "Official Notice" or the disclosure of JP 2001-268413. In any event, it is respectfully submitted that amended independent claims 1 and 4 clearly patentably distinguish over JP 2001-268413. Nevertheless,

if the Examiner intends to rely on "Official Notice," it is respectfully requested that the Examiner provide objective evidence to support the reliance on "Official Notice" in connection with the invention as recited in amended independent claims 1 and 4.

In view of the foregoing, it is respectfully submitted that amended independent claims 1 and 4, as well as claims 2 and 3 depending from claim 1, clearly patentably distinguish over JP 2001-268413, under 35 USC 102 as well as under 35 USC 103.

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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